

REMARKS

Claims 1-20 are pending in this application. By this Amendment, claims 1, 8, 11, 14 and 15 are amended. No new matter is added.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution, including addition of subject matter from pending claims 8-9 into independent claim form; (c) satisfy a requirement of form asserted in the previous Office Action; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

A request for personal interview was made to advance prosecution. However, because the Patent Office file was unavailable until after the November 3 due date, Applicant filed this response, but still requests that the Examiner contact Applicant's representative when the file is obtained to discuss the changes and outstanding art rejections.

In the Office Action, claims 1-4 and 7-15 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,489,900 to Cali. Additionally, claims 5-6 are rejected under 35 U.S.C. §103(a) over Cali. Finally, claims 16-20 are rejected under 35 U.S.C. §103(a) over Cali in view of Applicants admitted prior art. These rejections are respectfully traversed.

Independent claims 1, 14 and 15 are amended to further clarify the invention by adding features from dependent claims 8-9. The invention is directed to a pointing device comprising: a sensor substrate having a flat board form (such as strain detecting section 3 in Figure 1); a stick member vertically provided on an upper surface of the sensor substrate (such as stick member 2 provided on an upper surface of substrate 3); at least a pair of strain

sensors arranged in symmetrical relation to each other with respect to the stick member (such as strain sensors 8a-8d); and a slit formed on the sensor substrate near the strain sensor (such as slits 3b shown in Figure 1). The slit has parallel slit portions which are provided at both sides of each strain sensor to form an intersecting area of the sensor substrate between the parallel slit portions (See the cross-shaped intersecting area 7 in Fig. 2). These parallel slit portions induce an increase in the amount of deformation generated in the sensor substrate at the intersecting area during operation of the stick member.

Cali fails to teach, disclose or suggest such features which are found in each of independent claims 1, 14 and 15.

In making the rejections, the Office Action maintains that the x-shaped pattern 128 of Fig. 1 corresponds to the recited "slit." However, as clearly evidenced by Figures 2-4 of Cali, the x-shaped pattern 128 is only an intermediate product. After insertion of the column, the tabs of the pattern 128 are fixedly adhered onto the sides of column 130 (See Fig. 3 and col. 3, lines 7-13). In other words, the x-shaped pattern 128 no longer constitutes a slit (i.e., a "long, narrow cut, tear or opening" as defined by the American Heritage Dictionary, Second College Ed.) in the final formed configuration.

That is, the triangular edges in the final product of Cali in Fig. 3 do not meet the common definition of a "slit." Furthermore, contrary to assertions in the Office Action, this alleged structure clearly cannot "induce an increase in deformation" as claimed. The slits in Applicant's embodiments allow increased deformation and flexibility of the substrate resulting in better operation.

To the contrary, because the sensors 102-108 are fixedly bonded to column 130, the alleged structure corresponding to a "slit" does not induce increased deformation. Instead, if anything, one of ordinary skill in the art would consider Cali to teach away from the invention

by teaching to rigidly bond the sensor elements to a vertical stick member. This would thus be considered a reduction in deformation, if anything.

Regarding the rejections of claims 8-9, the Office Action alleges that Cali "discloses two parallel slit portions provided at both sides of each strain sensor." Moreover, the Office Action alleges that Cali teaches four slits that form a "cross-shaped intersecting area." Applicant disagrees. Again, the Office Action relies on the intermediate form of pattern 128 in Fig. 1 rather than the final form in Fig. 3. Regardless, there are no "parallel slit portions provided on both sides of each of the strain sensors" as recited in amended independent claims 1, 14 and 15 (which have been amended to incorporate portions of dependent claims 8-9) and illustrated, for example in Applicant's Fig. 2 (elements 3b1). Furthermore, there clearly is not an "intersecting area" formed on the sensor substrate by the parallel slit portions as claimed. Moreover, there is no increased deformation in Cali of the "intersecting area."

Applicant's invention shown in Fig. 2, for example, provides a cross-shaped intersecting area 7 defined between the respective slit portions 3b1. This intersecting area 7 due to the slits is more effectively deformed. As such, the parallel slits induce or increase the deformation generated by movement of the stick by making the substrate more flexible.

Cali has no such parallel slits or resulting intersecting area. As such, Cali fails to both teach or suggest the claimed structural features or the resultant functional features of independent claims 1, 14 or 15. Moreover, Cali teaches against such features by specific teaching desirability of bonding the sensor tabs 102-108 to the column 130. This if anything decreases the deformation.

Accordingly, Cali fails to teach, disclose or suggest claims 1, 14 or 15 or claims dependent therefrom.

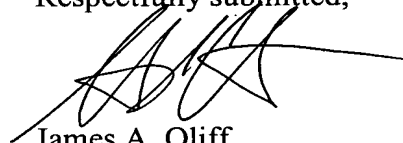
Because Cali does not teach each and every feature of the independent claims, these claims are not anticipated by Cali. Moreover, because Cali does not appreciate problems

overcome by the claimed invention, such modifications to Cali would not have been obvious to one of ordinary skill in the art. The only possible source of motivation is impermissible hindsight consideration of Applicant's specification. Accordingly, independent claims 1, 14 and 15 are believed to define over the applied references. Moreover, dependent claims 2-13 and 16-20 are deemed allowable for their dependence on allowable base claims, and for the additional features recited therein. Withdrawal of the outstanding rejections is respectfully requested.

In view of the foregoing amendments and remarks, Applicant submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-20 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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